

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of Pennsylvania

DOUGLAS N. GAER

Plaintiff

v.

EDUCATION MANAGEMENT CORP., et al.

Defendant

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Civil Action No.

10-1061

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

Todd S. Nelson, Chief Executive Officer
Education Management Corp.
210 Sixth Avenue - 33rd Floor
Pittsburgh, Pennsylvania 15222

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) -- or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) -- you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Lewis S. Kahn
Kahn Swick & Foti, LLC
206 Covington Street
Madisonville, Louisiana 70447

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

R. V. Smith, Jr.

Date:

AUG 12 2010

Signature of Clerk or Deputy Clerk

Civil Action No. **10-1061**

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* **todd s. nelson**
was received by me on *(date)*

☐ I personally served the summons on the individual at *(place)*
on *(date)*; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)*
, a person of suitable age and discretion who resides there,
on *(date)*, and mailed a copy to the individual's last known address; or

☒ I served the summons on *(name of individual)* **Cris Alampi**, who is
designated by law to accept service of process on behalf of *(name of organization)* **Education Management**
Corp. on *(date)* **Aug. 16, 2010**; or

☐ I returned the summons unexecuted because; or

☒ Other *(specify)*: **service of summons and complaint on Cris Alampi, Executive**
Assistant to Edward H. West, at 210 Sixth Avenue, 33rd Floor. Pgh, PA
on Aug. 16, 2010.

My fees are \$ for travel and \$ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: **August 16, 2010**


Server's signature

Robert M. Rumin
Printed name and title

1 Jaimaica Ave.
Pittsburgh, PA

Server's address

Additional information regarding attempted service, etc: